

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GEB SHIPPING CO., LTD.,

Plaintiff,

-against-

EMMSONS INTERNATIONAL, LTD.,

Defendants.
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: Index No. 06 Civ. 7649

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**DECLARATION OF
ERIC LINDQUIST IN
SUPPORT OF MOTION**

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ERIC LINDQUIST declares pursuant to 28 U.S.C. § 1746 and under penalty of perjury, that the following is true and correct:

1. I am a member of the law firm Fox Horan & Camerini LLP, attorneys for the defendant Emmsons International, Ltd. ("Emmsons"). I submit this declaration in support of Emmsons's motion pursuant to Rules B(1) and E(4)(f) of the Supplemental Rules for Certain Admiralty and Maritime Claims (the "Supplemental Rules") to vacate the ex-parte order for process of maritime attachment and garnishment and pursuant to Rule 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure (the "Fed. R. Civ. P.") to dismiss the complaint of plaintiff GEB Shipping Co., Ltd.

2. Attached hereto as Exhibit 1 is a true and accurate copy of the Verified Complaint herein.

3. Attached hereto as Exhibit 2 is a true and accurate copy of the Answer herein.

4. Attached hereto as Exhibit 3 is a true and accurate copy of this Court's Order for Issuance of the Process of Maritime Attachment.
5. Attached hereto as Exhibit 4 is a true and accurate copy of the affidavit of Anil K. Monga, Managing Director of defendant Emmsons International, Ltd.
6. Attached hereto as Exhibit 5 is a true and accurate copy of the Opinion of Avadh Behari Rohatgi, Senior Advocate before the Supreme Court of India and former High Court Judge of Delhi, concerning the status under Indian law of Oriental Bank of India as a holder in due course of the bill of exchange underlying the electronic funds transfers that are at issue in the present case.
7. Attached hereto as Exhibit 6 are copies of Sections 5, 7, 8, 9, 13, 14, 50, 51, 53, 118 and 134 of the Indian Negotiable Instruments Act.

Executed: March 7, 2007
New York, New York

s/ Eric Lindquist
Eric Lindquist/EL4305